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TOP STORY

## Supporters demand hearing for NJ Reproductive Freedom Act

Michelle Brunetti Post

Dec 2, 2021



Stephen Parlato of Boulder, Colo., holds a sign that reads "Hands Off Roe!!!" as abortion rights advocates and anti-abortion protesters demonstrate in front of the U.S. Supreme Court, Wednesday, Dec. 1, 2021, in Washington, as the court hears arguments in a case from Mississippi, where a 2018 law would ban abortions after 15 weeks of pregnancy, well before viability. (AP Photo/Andrew Harnik)

Andrew Harnik

Michelle Brunetti Post

**S**upporters of a bill that would not only guarantee the unrestricted right to abortion in New Jersey but also require insurers to cover it without co-pays and help uninsured women with costs are turning up the heat on legislators.

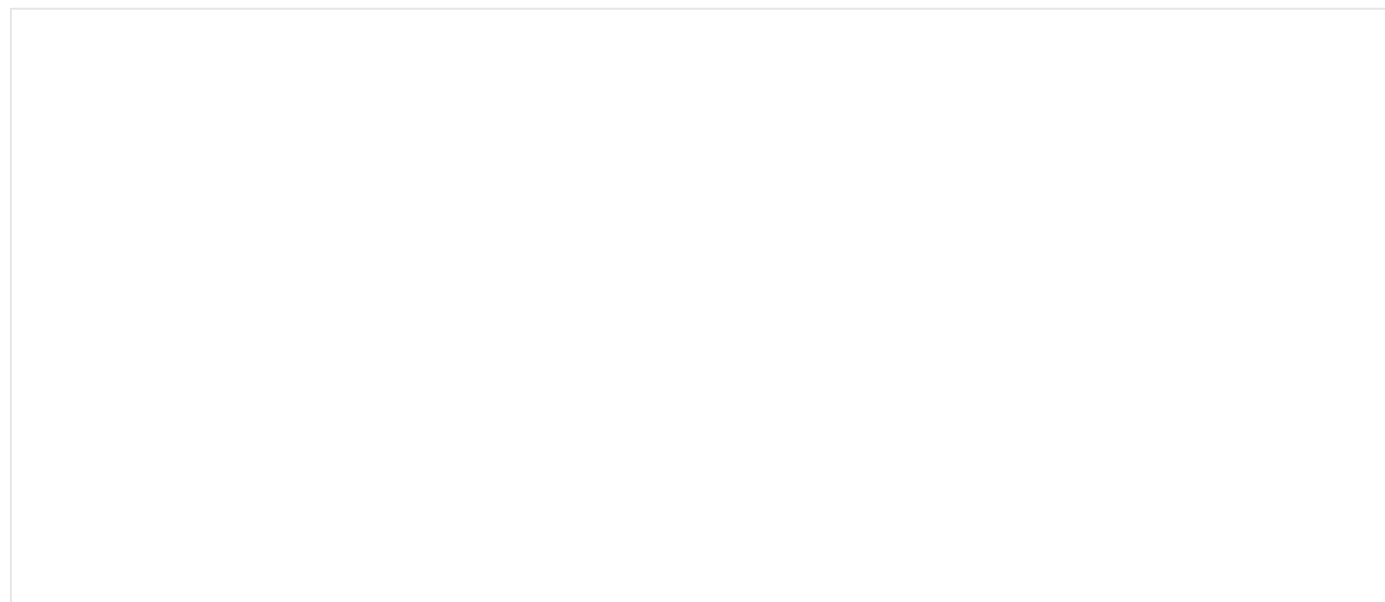
But with the lame-duck session having just over a month to go before a new Legislature is sworn in, lawmakers may be reluctant to consider such a major bill, said one political expert.

The New Jersey Reproductive Freedom Act (S3030/A4848) has been languishing without a hearing in the health committees of both the state Senate and Assembly since being introduced in October 2020.

Both committees are meeting Monday, but neither has scheduled a hearing for the measure, in spite of heightened fears that the U.S. Supreme Court will undermine federal case law that guarantees women the right to abortion here.

“We are still pushing for the bill to be heard on Monday and posted in committee,” said Kaitlyn Wojtowicz, vice president of public affairs with Planned Parenthood Action Fund of New Jersey. “We are going to do everything we can to make sure it passes in lame duck.”

Those efforts included a rally and news conference in front of the Statehouse Annex in Trenton on Thursday, sponsored by the Thrive New Jersey Coalition of which Planned Parenthood is a member, along with the ACLU and other nonprofits.





### **Supreme Court justices sound ready to restrict the right to abortion**

A lame duck legislative session is one that meets briefly after the next session's legislators have been elected, but before they take office.

The chairman of the Senate Health, Human Services and Senior Citizens committee, Sen. Joseph Vitale, D-Middlesex, said Thursday legislators are working on the language of the bill, and it won't be ready by Monday.

"The sponsors, leadership and chairpeople of committees have to determine what's the best course of action," Vitale said. "I and many others want this or some version to pass with a majority of both houses. We are not going to rush it."

While it has been around for more than a year, "there was no strong focus on it until recently. We're going to do our due diligence and do it the right way," Vitale said.

Assemblyman Herb Conaway, D-Burlington, who chairs the Assembly health committee and is a physician, could not be reached for comment.

John Froomjian, executive director of the William J. Hughes Center for Public Policy at Stockton University, said there may be reluctance by legislative leaders to tackle such a major piece of legislation in lame duck.



### **South Jersey diner patrons see election as chance to voice frustrations**

“The proposal in New Jersey goes beyond establishing the right to abortion,” Froomjian said. “It goes to that kind of bill that might produce a long, drawn-out legislative process, not really suited to a lame duck session.”

For example, Froomjian said, the Reproductive Freedom Act would also bolster the ability to secure a late-term abortion, allow medical professionals other than doctors to provide them in some cases, require insurance companies to cover them without co-pays and establish that the fetus has no rights independent of the mother.

“Even if you are completely pro-choice, from a business perspective you might ... be philosophically opposed to that,” Froonjian said. “It’s not an easy, clear-cut proposal that would easily pass.”

New Jersey case law goes beyond Roe v. Wade in offering protections to women seeking abortion in New Jersey, Vitale said, and he wants to be sure that more inclusive language is in the bill without going too far.

For example, New Jersey case law prohibits requiring parental notification for minors obtaining abortions, he said. And there are protections for late-term abortions when the women’s life is in danger or the fetus has died in the womb.

The Legislature meets for the last time before the holiday break for a voting session Dec. 22, Vitale said, and then again for voting sessions in early January. So if the language is right there is still time to pass something this session.

Wojtowicz said any bill introduced during a pandemic will have a harder road, but abortion stigma may be the main reason for the reluctance to bring this bill up in committee.

“There is a reluctance to talk about abortion care, even for folks who are pro-choice,” Wojtowicz said.

The U.S. Supreme Court on Wednesday heard the case of Dobbs v. Jackson Women’s Health Organization. It concerns the constitutionality of a Mississippi law outlawing abortions after 15 weeks of pregnancy, even though the Supreme Court in Planned Parenthood v. Casey ruled in 1992 that abortion cannot be outlawed prior to the fetus’s ability to survive outside the womb, which happens at about 24 weeks.

Many court watchers said the questioning indicated a willingness by a majority of judges to consider overturning the precedents set by Casey and even by Roe v. Wade.

That 1973 Supreme Court decision guaranteed a woman’s freedom to choose to have an abortion as a U.S. Constitutional right, and said the government cannot interfere in any way in abortions during the first trimester of pregnancy. It allowed some regulations in

the second trimester.

Critics have said the nearly 50-year-old decision was a judicial overstep, and the question of abortion law should be left to the states.



**Murphy, Ciattarelli touring NJ as campaign coming to close**

“We expect the decision in June,” Wojtowicz said of the Mississippi case, “but we can’t wait for it to happen. We have the chance to be proactive. We can’t always be reactive.”

Poorer women and the undocumented also need the law to pass quickly, she said, just to be able to access their rights.

The bill requires insurers to cover the entire cost with no co-pays, she said.

“The financial cost even with insurance can be so great, some women are forced to wait (to have the procedure) to collect enough money,” Wojtowicz said.

For those who are uninsured and cannot access Medicaid, such as undocumented women, a fund would be expanded to help provide birth control, abortion and prenatal care, Wojtowicz said.

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## INSIDE

Supreme Court justices' quotes reveal their feelings on Roe v. Wade. **Nation & World, A9**

### Michelle Brunetti Post

Staff Writer

In my first job after college got paid to read the New York Times and summarize articles for an early online data base. First reporting job was with The Daily Record in Parsippany. I have also worked in nonprofits, and have been with The Press since 1990.